

# Texas Commission on Environmental Quality



## **Registration for Municipal Solid Waste (MSW) Management Site**

**Issued under provisions of Texas  
Health & Safety Code  
Chapter 361**

MSW Registration No.: 40269

Name of Site Operator/Registrant: 130 Environmental Park, LLC

Property Owner: Cathy Moore Hunter

Facility Name: 130 Environmental Park Transfer Station

Facility Address: U.S. Highway 183 in Caldwell County, between FM 1185 and Homanville Trail

Classification of Site: Type V Transfer Station

The registrant is authorized to store and process wastes, and to recycle recovered materials in accordance with the limitations, requirements, and other conditions set forth herein. This registration is granted subject to the rules and Orders of the Commission and laws of the State of Texas. Nothing in this registration exempts the registrant from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality. This registration will be valid until canceled, amended, or revoked by the Commission.

*Approved, Issued and Effective* in accordance with Title 30 Texas Administrative Code (30 TAC) Chapter 330.

Issued Date: February 5, 2015

  
For the Commission

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## **I. Size and Location of Facility**

- A. This Type V Transfer Station is located on U.S. Highway 183 between FM 1185 and Homanville Trail, in Lockhart, Caldwell County, Texas. The facility contains 519.746 acres.
- B. The legal description is contained in Part I, Appendix IC of the application.
- C. Coordinates and Elevation of Site Permanent Benchmark:
  - Latitude: 29° 58' 43.75" N
  - Longitude: 97° 39' 24.76" W
  - Benchmark Elevation: 592.37. feet above Mean Sea Level

## **II. Waste Management Units and Operations Authorized**

### **A. Days and Hours of Operation**

This facility is authorized to accept waste from 7:00 am to 7:00 pm, Monday through Friday, and 7:00 am to 12:00 pm on Saturday. The operating hours are 5:00 am to 9:00 pm, Monday through Friday, and 5:00 am to 2:00 pm on Saturday, for operating heavy equipment and for transporting materials. The facility is closed on Sunday. The operator shall post the operating hours and waste acceptance hours on the site sign.

### **B. Wastes Authorized at this Facility**

The registrant is authorized to separate, store, and transfer construction and demolition waste, as defined in 30 TAC (§)330.3(33). The facility is also authorized to recover recyclable materials and transfer the recovered recyclable materials to an authorized facility.

### **C. Wastes Prohibited at this Facility**

All liquid waste and solid waste not authorized in Provision II.B.

### **D. Waste Acceptance Rate**

Solid waste may be accepted for processing at this facility at a rate of up to 94 tons per day.

### **E. Maximum Volume Available for Storage**

The facility may store up to 100 tons of processed and unprocessed materials onsite. The 100 tons includes unprocessed and processed wastes, and all recyclable materials stored onsite. The maximum storage limit for unprocessed and processed waste is 72 hours. Recyclable materials may be stored onsite for a maximum of 180 days.

### **F. Waste Management Units Authorized**

The registrant is authorized to operate the facilities related to the separation, storage and transfer of the wastes authorized, and related to the recycling of the recovered

materials, which shall include units, structures, appurtenances, or improvements as described in the registration application.

The waste management units authorized at this facility include: the transfer station building, roll-off boxes, transfer trailers or other suitable containers, and a 5,500 gallon contaminated water storage tank.

**G. Changes, Additions, or Expansions**

Any proposed facility changes must be authorized in accordance with TCEQ rules in 30 TAC Chapter 330 (Municipal Solid Waste) and 30 TAC Chapter 305 (Consolidated Permits).

**III. Facility Design, Construction, and Operation**

- A. Facility design, construction, and operation must comply with this registration, the registration application as incorporated by reference in Attachment A, and the regulations in 30 TAC Chapter 330.
- B. The entire waste management facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste, contaminant, or pollutant, and to prevent inundation or discharge from the areas surrounding the facility components. This site must be designed, constructed, and maintained to collect spills and incidental precipitation in such a manner as to:
  - 1. preclude the release of any contaminated runoff or spills; and
  - 2. prevent washout of any waste by a 100-year storm.
- C. The site shall be designed and operated so as not to cause a violation of:
  - 1. the requirements of the Texas Water Code, §26.121;
  - 2. any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements, §402 as amended; or Texas Pollutant Discharge Elimination System requirements;
  - 3. the requirements under the Federal Clean Water Act, §404, as amended; and
  - 4. any requirement of an area wide or statewide water quality management plan that has been approved under the Federal Clean Water Act, §208 or §319, as amended.
- D. All facility employees and other persons involved in facility operations shall be qualified, trained, and experienced to perform their duties so as to achieve compliance with this registration. The registrant shall further ensure that personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules, and this registration, commensurate with their levels and positions of authority.

#### **IV. Financial Assurance**

##### **A. General**

Authorization to operate the facility is contingent upon compliance with provisions contained in this registration and maintenance of financial assurance in accordance with 30 TAC Chapter 330 Subchapter K and 30 TAC Chapter 37.

##### **B. Closure Financial Assurance**

Closure Financial Assurance. The amount of financial assurance posted for closure shall be provided annually in current dollars in an amount equal to closing the entire facility pursuant to 30 TAC Section 330.505. The owner and/or operator shall annually adjust the closure cost estimate and the dollar amount of the financial assurance for inflation within 60 days prior to the anniversary date of the registration pursuant to 30 TAC Chapter 37 Subchapter B. Continuous financial assurance coverage for closure must be provided until all requirements of the final closure plan have been completed and the site is determined to be closed in writing by the executive director.

##### **C. Closure Financial Assurance Amount**

Within 60 days after the date of registration issuance or prior to the initial receipt of waste, the registrant shall provide financial assurance instrument(s) for demonstration of closure in an amount equal to but not less than \$96,600 for closure in 2013 dollars. The amount of financial assurance to be posted annually shall be determined as described in Provisions IV.A. and IV.B of this registration and 30 TAC Chapter 37.

##### **D. Closure Plan Modifications**

If the facility's closure plan is modified, the registrant shall provide new cost estimates in current dollars, which meet the requirements 30 TAC Chapter 37 and 30 TAC Chapter 330, Subchapter L as applicable. Modifications shall be made pursuant to 30 TAC §305.70. The amount of the financial assurance mechanism shall be adjusted within 45 days after the modification is approved. Adjustments to the cost estimates and/or financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this registration shall be initiated as a modification within 30 days after the effective date of the new regulation.

#### **V. Facility Closure**

##### **A. Closure shall commence:**

1. Upon direction by the Executive Director of the TCEQ for failure to comply with the terms and conditions of this registration or violation of State or Federal regulations. The Executive Director is authorized to issue emergency orders to the registrant in accordance with §§5.501 and 5.512 of the Texas Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;
2. Upon abandonment of the site;

3. Upon direction of the Executive Director for failure to secure and maintain adequate financial assurance as required; or
4. Upon registrant's notification to the TCEQ that the facility will no longer operate.

**B. Site Completion Requirements:**

The facility shall be completed and closed in accordance with Appendix IIIC (Closure Plan) and IIID (Cost Estimate for Closure), Part III of this Registration and 30 TAC §330.21 – Closure, 30 TAC §330.451 – Applicability, 30 TAC §330.459 - Closure Requirements for Municipal Solid Waste Storage and Processing Units and 30 TAC §330.461 - Certification of Final Facility Closure.

**VI. Standard Registration Conditions**

- A. This registration is based on and the site owner/operator shall follow the registration application submittal dated September 4, 2013, and the revisions dated February 14, 2014, July 11, 2014 and October 15, 2014. These application submittals are hereby approved subject to the terms of this registration, the rules and regulations, and any orders of the TCEQ. These application materials are incorporated into this registration by reference in Attachment A as fully set out herein. Any and all revisions to these elements shall become conditions of this registration upon the date of approval by the Commission. The registrant shall maintain the Application and all supporting documentation at the facility and make them available for inspection by TCEQ personnel.
- B. Attachment B, consisting of modifications, and corrections to this registration, is hereby made a part of this registration.
- C. The registrant shall comply with all conditions of this registration. Failure to comply with any condition may constitute a violation of the registration, the rules of the Commission, and the Texas Solid Waste Disposal Act and is grounds for an enforcement action, revocation, or suspension.
- D. Inspection and entry onto the site by authorized personnel shall be allowed during the site operating life.
- E. The provisions of this registration are severable. If any registration provision or the application of any registration provision to any circumstance is held invalid, the remainder of this registration shall not be affected.
- F. Regardless of the specific designs contained in the registration application, the registrant shall be required to meet all performance standards in the registration, the application, or as required by local, State, and Federal laws.
- G. If differences arise between these registration provisions and the Application, these registration provisions shall prevail.

- H. The registrant shall comply with the requirements of the air permit exemption in 30 TAC §106.534, if applicable, and the applicable requirements of 30 TAC Chapters 106 and 116.

## **VII. Incorporated Regulatory Requirements**

- A. The registrant shall comply with all applicable Federal, State, and local regulations and shall obtain any and all other required permits prior to the beginning of any operation authorized by this registration.
- B. To the extent applicable to the activities authorized by this registration, the requirements of 30 TAC Chapters 37, 281, 305, and 330, and future revisions are adopted by reference and are hereby made provisions and conditions of this registration.

## **VIII. Special Provisions**

The facility must implement all roadway improvements specified in Part II, Appendix IIC of the registration application prior to their pre-opening inspection and operation of the transfer station.

## **IX. Attachment A**

The Registration Application.

## **X. Attachment B**

Modifications, and Correction to MSW Registration No. 40269.